

Senate Study Bill 1133 - Introduced

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act concerning state employment hiring procedures.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **70A.21 State employment —**
2 **designation of ineligibility procedures — penalty.**

3 1. A board, commission, agency, or department of the state
4 that seeks to designate an individual as ineligible to apply
5 for; to be considered, referred, or approved for; or to be
6 appointed to employment by the state or any of its boards,
7 commissions, agencies, or departments, shall do all of the
8 following:

9 a. Maintain documentation of the designation of
10 ineligibility, to include signatures from the individual's
11 immediate supervisor and the applicable head of the board,
12 commission, agency, or department, the extent of the
13 individual's ineligibility for state employment, proof of
14 notification of the individual, and any information concerning
15 any appeals regarding the designation.

16 b. Notify the individual prior to or within ten days of
17 discharge of the designation of ineligibility and the extent
18 of the individual's ineligibility for state employment. The
19 notification shall include information on the process for an
20 individual to appeal, remove, or modify the designation of
21 ineligibility.

22 2. Each board, commission, agency, or department of the
23 state shall establish a process for an individual to appeal,
24 remove, or modify a designation of ineligibility. Following
25 a final determination by the board, commission, agency or
26 department within the executive branch of the state relative
27 to an appeal or attempt to remove or modify a designation of
28 ineligibility by an individual, the individual may appeal to
29 the public employment relations board created in section 20.5,
30 for individuals subject to the jurisdiction of the board, and
31 to an administrative law judge employed by the department of
32 inspections and appeals, for all other individuals.

33 Sec. 2. NEW SECTION. **70A.22 State employee hiring**
34 **requirements.**

35 An employer of state employees shall establish procedures

1 providing for the hiring of employees by the employer. The
2 procedures shall provide for the public announcement of
3 vacancies of the employer at least ten days in advance of the
4 date fixed for the filing of applications for the vacancies
5 and for the advertisement of the vacancies through the
6 communications media.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill concerns state employment hiring procedures.
11 New Code section 70A.21 establishes procedures for state
12 departments, boards, agencies, and commissions for designating
13 an individual as ineligible to apply for state employment.
14 The Code section requires the applicable employer to document
15 the determination and provide notice within 10 days of the
16 individual's discharge from state employment of the designation
17 and the right of the individual to appeal the determination.
18 The bill requires state executive branch employers to establish
19 procedures for appealing designations of ineligibility for
20 state employment with an appeal to the public employment
21 relations board for individuals subject to the jurisdiction
22 of the board, and to an administrative law judge employed
23 by the department of inspections and appeals, for all other
24 individuals.

25 New Code section 70A.22 requires an employer of state
26 employees to establish procedures providing for the hiring of
27 employees by the employer. The procedures shall provide for
28 public announcement and advertisement of vacancies.